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WHAT IS CLAIMED IS:

1(currently amended). A writing ~~Writing~~ instrument comprising:

a substantially sleeve-shaped shaft (20), a main axis (100), a terminal part (50, 35, 20b) at a rear end portion of said shaft, and a substantially conical tip device (10) at a front end portion of said shaft (20), wherein said tip device (10) is variably inclinable to an inclination by at least one of said tip device (10) being adapted to be controlled (40,43,9) so as to be pivotably inclinable in a pivot plane comprising said main axis (100) and relative to said sleeve-shaped shaft (20), and, an inclination angle ( $\alpha$ ) of a cone axis (101) of said tip device (10) being adjustable (40, 43, 9) in relation to said main axis (100); and,

wherein a leaf shaped spring (17) is provided at a backwards facing end portion of said tip device (10), said spring extending into an inside of said shaft (20), for contacting an inner wall of said shaft and for effecting a resetting force upon an increase of said inclination angle of said tip device (10) ~~or a return force~~, increasing when said control increases the pivot action of the tip device.

2(currently amended). The writing ~~Writing~~ instrument according to claim 1, wherein said inclination ( $\alpha$ ) of the tip device is changed from the terminal part (50, 35, 20b), providing a longitudinal movement of one of an ink device and a refilling device (40) received in said shaft, said movement being effected in a longitudinal direction (x) and relative to a bearing (23; 13; 14; L) structure between said tip device (10) and said shaft (20).

3(currently amended). The writing ~~Writing~~ instrument according to claim 1, further comprising a refilling device (40) for containing ink, comprising an elastically flexible portion (42) at a front end thereof, said portion changing at least one of a deflection and a bending stress thereof, upon changing of said inclination angle ( $\alpha$ ).

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4(currently amended). The writing ~~Writing~~ instrument according to claim 3, wherein, at its front end, said elastically flexible portion (42) is adapted as a writing tip (41, 30), said writing tip protruding through a front end opening (29) of said tip device (10) to make use of said bending stress of said elastically flexible portion for effecting a returning force on said tip device (10) having said adjustable inclination angle.

5(currently amended). The writing ~~Writing~~ instrument according to claim 1, wherein said tip device (10) is pivotably received at a bearing portion (13,14; 23; L) at said shaft (20).

Claims 6 and 7 were previously canceled.

8(currently amended). The writing ~~Writing~~ instrument according to claim 5, wherein a coupling portion (9; 9a, 9b) is provided at an end portion of said tip device (10), said coupling portion being offset in relation to said bearing portion (13,14; 23; L) in said plane comprising said main axis.

Claim 9 was previously canceled.

10(currently amended). The writing ~~Writing~~ instrument according to claim 1, wherein, on its edge, said tip device (10) comprises limiting means (12), for limiting maximum inclination portions by contacting protrusions (21a, 22a) located at the inside of said shaft, particularly such protrusions which are provided directly (integrally) with guiding means (21,22) for laterally guiding said tip device (10).

11(currently amended). The writing ~~Writing~~ instrument according to claim 1, wherein said tip device (10) is received (23,13; L) at an inside and at a front end of said shaft, said tip device (10) being particularly adapted to be inserted into said shaft (20) from a rear end portion thereof.

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12(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein said tip device (10) has an elongated extension, the length of said tip being larger than a diameter at the rear end of said tip.

13(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein said tip device (10) has a conical shape and is at least partly symmetrical with respect to a cone axis (101).

Claims 14 and 15 were previously canceled.

16(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein said tip device (10) comprises a rear end portion (9; 9a, 9b) cooperating with a shoulder portion (43, 66b) of a refilling device (40), for providing a contour control for changing the inclination angle of said tip device.

17(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein a contour control means (9) is provided at said tip device, said contour control means comprising at least one web segment, comprising two web portions (9a, 9b) extending to form an angle ( $\beta$ ) of less than  $180^\circ$ , for controlling the inclination angle of said tip device.

18(currently amended). **The writing** ~~Writing~~ instrument according to claim 31, wherein said terminal part (50) of the shaft is rotatably received in said shaft (20), and wherein rotation of the terminal part is restricted by one of tightness and provision of circumferential lock-in positions (52).

19(currently amended). **The writing** ~~Writing~~ instrument according to claim 17, wherein a kink angle ( $\beta$ ) of said web portions (9a, 9b) substantially corresponds to a maximum inclination angle ( $\alpha_{\max}$ ) of said tip device (10) relative to said main axis (100).

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20(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein said tip device is provided with at least one coupling means (9; 9a, 9b) at a backwards facing end portion, a shoulder (43, 66d) of a refilling device (40, 65) being coupled to said coupling means, for applying forces on said tip device (10), said forces controlling the inclination angle ( $\alpha$ ) of said tip device.

21(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein an axially extending refilling device (40, 65) is provided, and wherein a first elastic force acts on said refilling device by an axially acting spring means (41a, 41b), for axially pretensioning said refilling device one of towards said tip device (10) and away from said tip device (10).

22(currently amended). **The writing** ~~Writing~~ instrument according to claim 30, wherein said dividing position (25, 26) is located at one of a position closer to said terminating part (35) of said shaft and a position closer to said tip device (10).

23(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, wherein a length of one of said shaft (20;20';20") and said writing instrument (10,20,35,33) varies with variation of said inclination angle ( $\alpha$ ) of said tip device (10).

24(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, comprising a refilling device (65) tensioned by a compression spring (41b) such that said refilling device is urged against said tip device (10), said compression spring being dimensioned such that it receives writing forces without substantially changing a position of said refilling device (65), but effects a smaller torque on the tip device (10) than a returning force of a further elastic means (42, 17) said elastic means being also coupled to said tip device (10) to allow the tip device to be pivoted back into a straight position with respect to said main axis (100).

25(currently amended). **The writing** ~~Writing~~ instrument according to claim 1, comprising a refilling device (40) elastically tensioned by a spring (41a) in relation to

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said tip device (10), and wherein a second elastic force is applied to said tip device (10) at least sufficient to compensate for a torque applied by said spring (41a).

26(currently amended). The writing ~~Writing~~ instrument according to claim 1, comprising a means (43, 9, 63, 50) for controlling and adjusting said inclination angle ( $\alpha$ ) of said tip device, and independently thereof, a further means for opening of said writing instrument whereby a refilling device can be inserted or exchanged.

27(currently amended). The writing ~~Writing~~ instrument according to claim 1, comprising a control means (20c) associated with said shaft (20) and coupled to said tip device (10) for one of adjusting and directly controlling the inclination angle of said tip device.

Claims 28 and 29 are currently canceled.

30(currently amended). A writing ~~Writing~~ instrument comprising:  
a substantially sleeve-shaped shaft (20), a main axis (100), a terminal part (50, 35, 20b) at a rear end portion of said shaft, and a substantially conical tip device (10) at a front end portion of said shaft (20), wherein said tip device (10) is variably inclinable by at least one of said tip device (10) being adapted to be controlled (40,43,9) so as to be pivotably inclinable in a pivot plane comprising said main axis (100) and relative to said sleeve-shaped shaft (20), and, an inclination angle ( $\alpha$ ) of a cone axis (101) of said tip device (10) being adjustable (40, 43, 9) in relation to said main axis (100);

wherein said shaft (20) is divided at a dividing position (25, 26, 27), determining lengths of two shaft parts (20', 20''), and wherein one of:

- (a) at least one threaded part is provided for connecting said two shaft parts variably with respect to a distance ( $x_1$ ,  $y_1$ , 25, 27) from each other, and,
- (b) an adjusting sleeve (63) is provided, for coupling said two shaft parts (64', 64'') variably with respect to their distance from each other, forming a coupling that is non rotatable, but movable in a longitudinal direction (21,22).

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Claims 31-33 are currently canceled.

34(currently amended). **A writing** ~~Writing~~ instrument comprising:

a substantially sleeve-shaped shaft (20), a main axis (100), a terminal part (50, 35, 20b) at a rear end portion of said shaft, and a substantially conical tip device (10) at a front end portion of said shaft (20), wherein said tip device (10) is variably inclinable by at least one of said tip device (10) being adapted to be controlled (40,43,9) so as to be pivotably inclinable in a pivot plane comprising said main axis (100) and relative to said sleeve-shaped shaft (20), and, an inclination angle ( $\alpha$ ) of a cone axis (101) of said tip device (10) being adjustable (40, 43, 9) in relation to said main axis (100); **and,**  
**wherein an axially extending refilling device (40, 65) is provided, and**  
**wherein a first elastic force acts on said refilling device by an axially acting spring means (41a, 41b), for axially pretensioning said refilling device one of**  
**towards said tip device (10) and away from said tip device (10).**

35(currently amended). **The writing** ~~Writing~~ instrument according to claim 5, wherein said bearing portion (L) is located outside of said main axis (100) or only one single bearing portion (13, 14) is associated to a sleeve wall of said shaft (20), said bearing portion also constituting a pivoting axis for varying the inclination angle of said tip device.